

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SIRJESSE HUNTER,

Plaintiff,

v.

J. HAZELWOOD, *et al.*,

Defendants.

CASE NO. C05-956-TSZ-JPD

ORDER DENYING PLAINTIFF'S
MOTION TO COMPEL DISCOVERY

Plaintiff is incarcerated in the King County Jail ("Jail") in Seattle, Washington. He has filed a *pro se* civil rights complaint pursuant to 42 U.S.C. § 1983, alleging, in essence, that two guards at the Jail pose a threat to his safety. Pursuant to a discovery request, plaintiff requested that defendants provide him with the disciplinary records of the two guards. Dissatisfied with defendants' response, plaintiff filed a motion to compel discovery with the court on November 7, 2005. (Doc. #48). Defendants have filed a response. (Doc. #50). Plaintiff has also filed a request that the court issue him a subpoena duces tecum, requiring defendants to provide him with medical records he identifies only as "TC59396, TC59368, TC59732, and TC63024." (Doc. #52 at 1). Having reviewed plaintiff's motion and request, and the balance of the record, the court hereby finds and ORDERS as follows:

(1) Plaintiff's motion to compel discovery (Doc. #48) is DENIED. In their response to the motion, defendants have demonstrated that they responded adequately to plaintiff's request by


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1 providing a limited disclosure of the two guards' disciplinary history. (Doc. #51 at Exs. 3 & 4).
2 Further disclosure does not appear warranted and indeed might violate the guards' right to privacy.
3 *See Fryer v. Brown*, 2005 WL 1677940, *6 (W.D. Wash., July 15, 2005).

4 (2) Plaintiff's request that the court issue a subpoena duces tecum (Doc. #52) is
5 unsupported with any legal argument or factual background. Plaintiff does not explain why he
6 needs the records he is seeking nor whether he has previously sought these records from defendants
7 by other means – for example, by way of a request for production of documents pursuant to Rule 34
8 of the Rule of Civil Procedure. Accordingly, plaintiff's request (Doc. #52) is DENIED.

9 (3) The Clerk is directed to send a copy of this Order to plaintiff, to counsel for
10 defendants, and to the Honorable Thomas S. Zilly.

11 DATED this 2nd day of December, 2005.

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14 JAMES P. DONOHUE
15 United States Magistrate Judge
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